

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Paula Bell

Write the full name of each plaintiff.

19 CV 8153

(Include case number if one has been assigned)

-against-

Do you want a jury trial?

☒ Yes ☐ No

St Green Realty Corp.
First Quality Maintenance
Union Local 32BJ

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

RECEIVED
CLERK OF COURT
2019 AUG 29 PM 3:55

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Paula BEI
 First Name Middle Initial Last Name
99-05 58th Ave apt. 35
 Street Address
Queens, Corona NY 11368
 County, City State Zip Code
917-501-1039 _____
 Telephone Number Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: SL Green Realty Corp.
 Name
420 Lexington Ave
 Address where defendant may be served
New York NY 10170
 County, City State Zip Code
 Defendant 2: First Quality Maintenance
 Name
70 W 36th Street
 Address where defendant may be served
New York NY 10018
 County, City State Zip Code

Defendant 3:

Union, Local 32BJ
 Name
 25 W 18th Street
 Address where defendant may be served
 New York NY 10011
 County, City State Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:

SL Green Realty Corp
 Name
 420 Lexington Ave.
 Address
 New York NY 10170
 County, City State Zip Code

III. CAUSE OF ACTION**A. Federal Claims**

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☐ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☒ race: FOR being hispanic
☐ color:
☐ religion:
☐ sex:
☐ national origin:

- ☒ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: latino/a

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status

- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status

- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☒ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☐ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☐ other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

- ☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? _____

- ☐ No

Have you received a Notice of Right to Sue from the EEOC?

- ☐ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? _____

When did you receive the Notice? _____

- ☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

- ☐ direct the defendant to hire me
- ☐ direct the defendant to re-employ me
- ☐ direct the defendant to promote me
- ☐ direct the defendant to reasonably accommodate my religion
- ☐ direct the defendant to reasonably accommodate my disability
- ☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

Direct the defendant to pay me all funds
that are to me as I am entitled to
all funds.

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

7/27/19
 Dated

Paula Bell
 Plaintiff's Signature

Paula
 First Name

Be
 Middle Initial

ll
 Last Name

99-05 58th Ave apt 3J
 Street Address

Queens, Corona
 County, City

NY
 State

11365
 Zip Code

917-501-1032
 Telephone Number

Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Nov. 13, 2015
Humberto Cabrera
590 West 17451
New York, NY, 10033
646.705.1821

I Humberto Cabrera as an employee of SLGreen for fourteens of which 4 of the years of my employment I spent working at 420 Lexington Avenue.

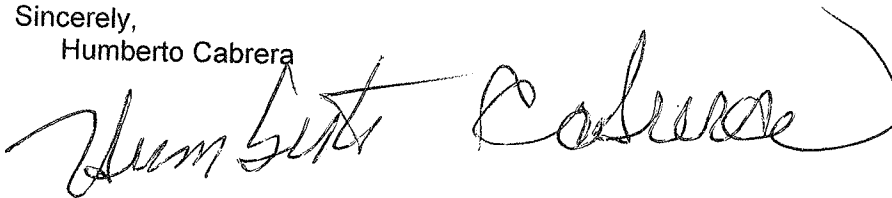
On Nov 13 2015 an incident took place with chemicals in the area in which I was working in on the 3rd floor. Mrs.Senada Secash came to my floor to scrub the bathroom with some products that cause some health issues for me. The products she was using to clean was causing me to have breathing problems. Mrs.Senada Secash called the union Shopsteward Mrs. Bell by phone so she could speak with me because I wasn't feeling well. When the Shopsteward arrived I was a bit aggravated and arguing with Mrs.Senada Secash because I was asking her what chemicals were in her mop bucket which caused me to have health issues. The Shopsteward asked what were the chemicals Mrs.Senada Secash mixed together to scrub the bathroom. Mrs.Senada Secash said she didn't have to tell us what she mixed together in the bucket. Our shopsteward asked me if I needed an ambulance. She didn't argue with anyone. She arrived and did her job as shopsteward of the union. Later on Mr.Leon Swarez arrived who acts as assistant shop steward when Mrs.Bell is on vacation. At no point during the events of Nov.13th was there a argument or fight between the Shopsteward Mrs.Bell or Mrs.Senada Secash. Only conversations pertaining to my health and wellbeing. There was no motive as to why they fired Mrs Bell on the 17th of November 2015. Mrs.Bell has done her job as shopsteward for our union and as worker for SLGreen and has always been very respectful in 420 Lexington. Even so a month before the event took place she was called to the management office with Mrs.Senada Secash to congratulate her on her good work. Everything written up, made up by Mrs.Senada Secash and Mr.LeonSuarez was fabricated out of hatred toward Mrs.Bell

Since the day Mrs.Secash arrived to work at 420 Lexington she said she didn't like Mrs.Bell and wouldn't rest till she got Mrs Bell fired from working at 420 Lexington Avenue. Through lies she's managed to get what she's wanted from the start.

Mrs Secash doesn't like people from other countries outside of that of her own.

Sadly to say our union 32BJ isn't offering the right assistance to help our union workers through these tough working conditions. Is allowing for more people under their employment to fall unemployed and evidently homeless.

Sincerely,
Humberto Cabrera



6/12/18

Dear Justice

I been in the building for 1 year and 3 months
During that time and still to this day I have witness
and experienced alot of Discrimination and RaCism
Harassment from my Supervisors Brian and Sanada

favoritism from both foreman and floor lady
Eddie and ala

I been micro managed harassed week after week
With my job for no reason adding more to my routine
Doing things that's not my job

They all discriminate only with ~~the~~ Hispanics
being unfair with the overtime not following union rules
ignoring Seniority

~~With holding~~ ~~with~~ With holding Christmas bonuses
~~from~~ not giving out location checks on time
~~I seen~~ Brian Sexually harass women Heard stories from
a co worker saying she's traumatized but afraid to come
forward thinking she can lose her job if she speak out

ADVISORY BOARD COMPANY
WASHINGTON, D.C.

If you wanna contact me for any more information
Feel free to give me a call here's my Cell Phone number
917-514-0026

JL

Jeremy Laboriel

Humberto Cabrera

646 705 1821

Ditson, Regional

917-558-0906



To whom this may concern,

My name is Alba Carrasco.

I work in the Graybar building since 1995 and started working for S.L. Green since 1997. Address is 420 Lexington Ave.

The supervisor in this building are Brian and Genada Cebaj. Foreman/lady are Eddie and ala.

I have personally witnessed in this building a lot of favoritism, harassment, racism, and if you complain even retaliation.

one of the supervisors Brian all he does is Scream and belittle you, when he talks to you. He personally has called me names.

I have witnessed him in a women's meeting locker room by the doorway, put his hand inside Paola Bell's uniform dress pocket.

Brian has harassed me ~~and~~ in this job plenty of times. he has told me to move Furniture because he said so.

My job is to do general cleaning, which consists of high dust, low dust, vacuum, wipe down desk, wipe down chairs.

Senada Celhaj. the second supervisor well
She made the workplace unbearable.

Consistently ~~has~~ harassing me by make me
get down on my knees to do things that
are not evenⁱⁿ my job title.

Constantly behind me, checking my work every
week. Saying the suites were complaining
about me. I would ask my tenants if
they had complaint, there response were no.

She'll write me up. Suspend me and in
till ~~sat~~ she got me fired.

She said I was stealing companies time
and she fired me for that.

I'm not the only one she would be after
basically it was all the hispanics.

Alba Carrasco

347-435-6695

1005 23 yrs worked

DATE OF MOST RECENT INCIDENT / / 2015 when lost job.

HAVE YOU FILED A COMPLAINT WITH CCHR IN THE PAST? (Y/N)

ABOUT THE SAME INCIDENT OR A DIFFERENT INCIDENT? (SAME / DIFFERENT)

Please explain:

won case / now appealing

(National Labor Relations Board)
lost job. ~~Union~~ board
lost job unjustly
Union

Person and/or Business Alleged to Discriminate

NAME Senada Cekaj (Asst. Supervisor)

PHONE

ADDRESS OR GENERAL LOCATION 420 Lexington Ave

CITY New York

STATE NY ZIP

Cleaning

Place Discrimination Occurred (if different from above)

ADDRESS OR GENERAL LOCATION

Romantic relationship

1. Please explain the issue or problem.

Brian Morel (Supervisor) Head

Flirts with few employees. Took revenge for Paula not entertaining his jokes and associating with him. One time, he put his hand in her pocket without permission. Sexual harassment with Union.

2. Are you being treated differently than others at your building/employer? How?

Only hispanic employees receive micro managing, other races no. He told a co-worker that he needed to fire 3 people. Therefore, hired

3. Have you been threatened or harassed with derogatory comments? If so, what were the comments? Who made them?

Senada for that purpose.

Union Rep. Did write ups for ~~inadequate~~ pity reasons but not for others.

4. Have you tried to address or report the issue already? What was the outcome?

Excluded her while everyone else did
for hours

derogatory comments
stupid dumb ignorant

FOR OFFICE USE ONLY

CCHR STAFF NAME

DATE

COMMENTS:

Reference: SEIU 32BJ

To whom it may concern,

I, Paula Bell, have been a loyal employee under the union of SEIU 32BJ for over 20 years. I have worked very hard for over 20 years and have accumulated my pension/retirement funds. I worked for many years at the location 420 Lexington Avenue not only as a maintenance worker but also as the building Shop Steward as I was appointed by 32BJ. As a shop steward, my top priorities are to serve as a leader/representation of the union and protect the rights and safety of all other employees/members of the union. I served as the eyes and ears of the union with pride over the years I held such position.

Almost three years ago I was unjustly fired from my job at 420 Lexington Avenue and till this day I have not been given the chance to a fair trial. During the trial that was granted to me I was denied the opportunity to have my witnesses testify.

I have been an employee with great conduct for over 20 years and have served the union well as a Shop Steward. I am requested that my job at 420 Lexington Avenue be returned to be with all seniority that I have accumulated throughout the years as well as 100% of the salary that is due to me that was revoked from me as I was let go from 420 Lexington Avenue unjustly.

I kindly request that any and all responses to this letter be in a written format and sent to the following address:

**Paula Bell
99-05 58th Ave, Apt. 3J
Corona, NY 11368**

Please be informed, any verbal responses, for example, in person or via telephone are not acceptable.

Sincerely,


Paula Bell